

nearly identical procedural step in 2013 when it stood to benefit President Obama. Now, with a different occupant in the White House, apparently the same principle just doesn't apply.

They said their unprecedented delays and obstruction were justified because this administration's nominees were so controversial. They said there were legitimate reasons why they had forced cloture votes on 40-plus different positions for the first time in history and wasted so much floor time.

My Democratic colleagues insisted these were highly controversial people. Well, Republicans knew better, so we took the sensible step to expedite the proceedings for these lower level nominations. It is time to take a look at some of the individuals who have been moving through under these new procedures and how controversial they are.

This week alone, we have now confirmed the Energy Department's general counsel by a vote of 68 to 31; the Director of the Pension Benefit Guaranty Corporation, 72 to 27; and an Assistant Secretary of State, 90 to 8. Yesterday afternoon, we advanced the nominations of three district court judges with 64 votes, 89 votes, and 94 votes. Obviously, they are really controversial people we have been talking about here.

We aren't talking about lightning-rod partisans here. These are abundantly qualified, noncontroversial public servants. They are the kinds who used to go in big groups by voice vote. The two leaders would put together packages and voice vote them. Well, our friends across the aisle aren't letting that happen.

Now we are beginning to make better progress, nonetheless. Now that we are finally able to get these people voted on, our Democratic colleagues mostly don't oppose them. It would be almost comical if it weren't a sad reminder of just how totally pointless the past 2 years of obstruction have been.

But it is also a hopeful sign as we move forward. After studying and considering these nominees, the Senate will keep on filling traditional vacancies. We will keep confirming the President's team. We will keep giving the American people the government they actually voted for back in 2016.

MEDICARE

Mr. MCCONNELL. Mr. President, as I have mentioned, there has been a remarkable development this week in the House. The Rules Committee held the first hearing to discuss Medicare for None. It was another demonstration of how disconnected our Democratic colleagues' agenda has become from the best interests of working Americans and middle-class families.

The last 2 years have been a case study on how much American families benefit when Republican policies get out of the way. Helped along by tax reform, regulatory reform, and other efforts, the country is seeing starkly low

unemployment, faster wage growth—more opportunities for more families to get ahead and build their lives.

Rather than admit the obvious, our Democratic colleagues are choosing to double and triple down on jacking taxes back up and making families cede a larger role for Washington in their daily lives.

We have heard the pitch on healthcare. They want to trade seniors' Medicare and all private, employer-sponsored health insurance plans for a one-size-fits-all Federal plan and the higher taxes needed to pay for it.

Just yesterday, a new report from the CBO confirmed that such a scheme would substantially increase Federal spending and could lead to longer wait times, worse quality of care, and a system less responsive to patient needs.

On top of that, we know what our Democratic colleagues tried to sell families when it comes to the Green New Deal: a Washington, DC, war on our domestic energy that would cost Americans their jobs, increase families' bills, forcibly change the homes Americans are allowed to live in, industries they are allowed to work in, and, of course, the cars they are allowed to drive.

Let's remember that all of this self-inflicted economic pain would not really buy any meaningful gains in terms of carbon emissions. For the better part of the last decade, as U.S. emissions actually declined—emissions have been going down—our largest competitors, like China, continued to emit more and more.

Hog-tying the U.S. economy in the name of further emissions reductions would do nothing but give the largest emitters license to keep on emitting while poaching American jobs in the process.

I don't think real progress is actually the point here. Facts are not the motivating factor. My colleagues on the left think these self-inflicted national injuries just feel like this greening of America is the right thing to do. They just feel it.

Case in point, I understand that House Democrats are planning to pass a measure today that would try to force the Trump administration to remain in the 2015 Paris Agreement on greenhouse emissions. This is the big international deal that the Obama administration cheered on. It doesn't even pass the laugh test.

One expert analysis noted this week that even a generous estimate puts the impact of America's participation on global temperature reduction well within the margin of error: One-hundredth of 1 degree Celsius. In other words, he points out, it is a completely unmeasurable effect—tons of redtape and real economic damage for zero measurable effect. That is my friends across the aisle in a nutshell on this issue. Tie America's own hands for no benefit, while China and our other international competitors go roaring right by, all so a few pockets of high

society can pat themselves on the back at the next cocktail party.

House Democrats may see this as exciting political theater, but the middle-class Americans I represent give it two thumbs down. So this futile gesture to handcuff the U.S. economy through the ill-fated Paris deal will go nowhere here in the Senate. We are in the business of actually helping middle-class families, not inventing new obstacles to throw in their paths.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Rodolfo Armando Ruiz II, of Florida, to be United States District Judge for the Southern District of Florida.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

BARR HEARING

Mr. SCHUMER. Mr. President, Attorney General Barr's performance in yesterday's Judiciary Committee hearing was abysmal. It raised all types of questions about his willingness to be a faithful steward of the law. Of the several outlandish claims, one stood out. One of them should send shivers down the spine of anyone who believes in this democracy. It would probably send shivers down the spines of the Founding Fathers if they were to hear this Attorney General say what he said. Attorney General Barr said yesterday that the President could not have obstructed justice because he believed he was falsely accused. He even went further. He made a broad principle.

Here is what he said:

[If an investigation is] based on false allegations, the president does not have to sit there constitutionally and allow it to run its course. The president could terminate that proceeding and not have it be corrupt intent because he was falsely accused.

What a statement. If the President himself believes he has been falsely accused, he can terminate any investigation or proceeding against him. Any at all? Is that the determination in the President's own head and in nobody else's? I am sending a letter to the Attorney General this morning and am asking him a whole bunch of questions based on that awful, confounding statement.

First, we know he had a theory of the unitary executive. He issued that letter before he was chosen as Attorney General, and many believe that is why he was chosen. Yet this is the first time he had stated it so crassly and so baldly as Attorney General. Does he stand by that or was it a mistake? That will be my first question.

Does he stand by the statement that he said yesterday, based on false allegations, that the President does not have to sit there constitutionally and allow it to run its course? "The president could terminate that proceeding and not have it be corrupt intent because he was being falsely accused." He could terminate the proceeding. So who is the determiner of what a false allegation is? Is it the President himself solely? I am going to ask Attorney General Barr that question.

What about other proceedings and investigations? Let's say one of the President's family members is being investigated. If the President determines that it is based on false allegations, does he have the unilateral power to terminate the proceeding? What if it is one of the President's business associates, and the President believes they are false allegations? Does he have the ability to terminate? What if it is one of his political allies? Again, does he have the ability to terminate?

I will also ask him: Does that mean that Richard Nixon, who certainly believed he was falsely accused, could have simply dismissed the entire Watergate investigation? Is that what the Attorney General believes?

I mean, my God, what President doesn't believe he is being falsely accused? If this were to become the actual standard, then no President could be guilty of obstructing a Federal investigation, and every President would have the right to terminate any investigation—certainly, about that President and maybe about many others who would have some relationship to the President.

Attorney General Barr's comments are as close as they can get to saying the President should be above the law. So I will be writing him a letter and sending it to him this morning, asking him explicitly these questions and asking him if he stands by his statements. If he does, he should not be Attorney

General. I will await his answers. I hope he doesn't stonewall as he has been doing over in the House.

(Mrs. HYDE-SMITH assumed the Chair.)

ATTORNEY GENERAL BARR AND THE MUELLER REPORT

Madam President, on a related matter, one of the clearest takeaways from yesterday's hearing, in addition to the Attorney General's astounding statement that the President could terminate any investigation or procedure against him if he believed it were based on false facts, was the discrepancy between the Attorney General's opinions and the conclusions of the Mueller report.

My colleague Senator HARRIS masterfully also uncovered that the Attorney General did not examine any of the underlying evidence in the Mueller report before making a prosecutorial decision and, to his knowledge, neither did the Deputy Attorney General. The arrogance of these men is amazing. This is one of the most serious issues we face. At least half of the country believes it is very serious—more than half. Yet they don't even bother to look at the underlying evidence before they issue a statement that indicates the President has been exonerated—at least in the President's own mind.

But that is to say nothing of the fact that there are so many unanswered questions about the reasoning behind some of Special Counsel Mueller's decisions, regardless of what Barr thought or did or wrote.

So it is imperative that Mueller come to testify. The result is that we have a gap. We have a gap of understanding of key details in the Mueller probe—a gap that leaves a cloud hanging over this country, over this President, over this Justice Department; a gap that could easily be erased by having the special counsel come to the Senate and testify.

So I was frankly shocked, appalled—I thought it wasn't true; it must have been a misquote—when I read on Twitter that my friend the chairman, LINDSEY GRAHAM, chairman of the Judiciary Committee, said that he would not ask Mueller to testify, that he would send Mueller a letter asking him to respond if he disagreed with the Attorney General's testimony, but not invite him to testify.

"It is over," he repeated to the committee and then to me on the floor when I, really, confronted him, even though he is my friend, because I was so amazed about this—when I confronted him here on the floor of the Senate.

He modified his request after we talked to say that if Mueller said that he was misquoted, he could come. That is not the way to do this.

Mueller should come—no ands, ifs, or buts. The American people deserve it. Frankly, my friend LINDSEY GRAHAM is being totally derelict in his responsibilities as chair of the Judiciary Committee not to invite Mr. Mueller.

So I would ask LINDSEY GRAHAM to reconsider, to think about the country, to think about his long history of trying to be fair and often—not so much recently, but often—bipartisan. He is someone I worked with, and he showed great courage on immigration. He must reconsider. He cannot have the Judiciary Committee simply be a political arm of the President, which is where it is devolving under his chairmanship.

Congressional oversight requires that Mueller come. The Constitution, if you read it, would indicate that it is perfectly within our ability and obligation to bring Mueller here.

Please, Senator GRAHAM, reconsider. Invite Mueller. His testimony is desperately needed to clarify what he actually meant and said after Mr. Barr's actions.

WOMEN'S HEALTHCARE

Madam President, finally, on women's healthcare, last month the Trump administration proposed instituting a radical title X gag rule, which would have regulated the kinds of conversations women could have with their doctors and risk cutting off family planning clinics from millions of dollars of Federal funding.

The rule was set to go into effect on May 3, but courts around the country have granted preliminary injunctions to prevent it from taking effect, as they should.

Those decisions are great news and should be celebrated as an affirmation of a woman's right to make her own medical choices and not to have some court, some judge, or some legislator tell a woman what to do with her medical choices.

But they are also a reminder that President Trump and congressional Republicans continue to undermine the rights of women to make their own healthcare decisions. Since taking office, President Trump and Republicans across the country have launched an assault on women's reproductive freedoms and women's health. In Mississippi, in Georgia, and in Kentucky, Republican statehouses are forcing through radical proposals that would dramatically limit women's ability to make their own choices.

Here in Washington, the Trump administration continues to seek the total destruction of our healthcare law. Just yesterday the administration issued a brief arguing that the entire Affordable Care Act is unconstitutional—an opinion that would gut protections for the 133 million Americans with preexisting conditions and strip away healthcare from millions of American families.

The House has sent us a bill that would protect people's abilities who have preexisting conditions to continue to get insurance, but the Senate is not acting, and that leads me to my last point.

SENATE LEGISLATIVE AGENDA

Madam President, we have just concluded another legislative week in the Senate, but it was a legislative week in